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Date: 4 JANUARY 2006

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Attorney Docket: 081468/0307015  
Client Reference: P-1749.000 -US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 8897

TEN BERGE et al.

Application No.: 10/724,403

Group Art Unit: 2826

Filed: December 1, 2003

Examiner: Leonardo ANDUJAR

Title: SUBSTRATE, METHOD OF PREPARING A SUBSTRATE, METHOD OF MEASUREMENT, LITHOGRAPHIC APPARATUS, DEVICE MANUFACTURING METHOD AND DEVICE MANUFACTURED THEREBY, AND MACHINE-READABLE STORAGE MEDIUM

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Restriction Requirement dated December 8, 2005, the following election and remarks are respectfully submitted in connection with the above-identified application.

**RESTRICTION REQUIREMENT**

The Examiner has made a requirement for restriction between the following groups of claims:

- Group I. Claims 1-24, drawn to a method of preparing a substrate; and
- Group II. Claims 26-28, drawn to a substrate having alignment marks.

**ELECTION**

In order to comply with the Examiner's Restriction Requirement, Applicants elect to prosecute Group I, directed to claims 1-24, for prosecution in the present application. Applicants reserve the right to file a Divisional application directed to the non-elected claims at a later date, if so desired.

This election is without traverse.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

A handwritten signature in black ink, appearing to read "Sean L. Ingram", written over a horizontal line.

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